

CHAPTER NO. 96

HOUSE BILL NO. 3284

By Representatives White, Tidwell

Substituted for: Senate Bill No. 3272

By Senator Wilder

AN ACT to repeal Chapter 601 of the Private Acts of 1911, relative to the office of County Attorney of Wayne County, and to authorize the employment of a County Attorney of Wayne County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 601 of the Private Acts of 1911, and any other acts amendatory thereto, are hereby repealed.

SECTION 2. After expiration of the appointment of the current County Attorney, the County Executive of Wayne County is hereby authorized to appoint, with the confirmation of the Wayne County Legislative Body, a County Attorney of Wayne County under written contract for periods of up to four (4) years in duration. The County Attorney shall be an independent contractor of the county.

SECTION 3. The County Attorney shall be licensed to practice law in all of the courts of the State of Tennessee and in the United States District Court for Middle Tennessee.

SECTION 4. The County Legislative Body of Wayne County shall establish the compensation of the County Attorney.

SECTION 5. It shall be the function and duty of the County Attorney to render legal advice, legal opinions and other legal services to the county and any of its officials, departments, offices, boards, and commissions. It shall further be the function and duty of the County Attorney to prosecute all suits instituted by the county and to defend all suits brought against the county or any of its departments, offices, boards and commissions, to represent the county at all hearings before any board or commission, and to prepare resolutions at the request of members of the County Legislative Body. The duties of the County Attorney shall not include representation of the county in delinquent property tax suits unless separately appointed pursuant to general law.

SECTION 6. In the event that the County Attorney employed under this act shall have a conflict of interest which prevents his or her representation of the county or any of its departments, offices, boards or commissions in the prosecution or defense of any lawsuit, the county executive, with the confirmation of the County Legislative Body, is authorized to employ another attorney for the purpose of representation in such suit.

SECTION 7. This act shall have no effect unless it is approved by two-thirds (2/3) vote of the County Legislative Body of Wayne County. Its approval or non-approval shall be proclaimed by the presiding officer of the County Legislative Body and certified to the Secretary of State.


SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 7.

PASSED: March 2, 2000


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 10th day of March 2000


DON SUNDQUIST, GOVERNOR